



09/24/03

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Date: September 24, 2003

Docket No.: 0941-0844P

## MS PATENT APPLICATION

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): LEE, Steve and WU, Donnie

For: METHOD FOR PREVENTING READ ERRORS IN OPTICAL DISC DRIVE

Enclosed are:

- ☒ A specification consisting of FOURTEEN (14) pages
- ☒ FOUR (4) sheet(s) formal drawings
- ☒ An assignment of the invention
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority

- ☒ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). 91121854 filed in TAIWAN, R.O.C. on September 24, 2002.
- ☐ Certified copy(ies) is(are) attached hereto.
- ☒ Certified copy(ies) will follow.
- ☒ Executed Declaration (☐ Original ☒ Photocopy)
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☒ Other: Petition under 37 C.F.R § 1.47 (a) and Verification of Employment w/ Cover Sheet
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	8- 20 =	0	X 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1- 3 =	0	x 84 = \$0.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$750.00	\$0.00

- ☒ A check in the amount of \$960.00 to cover the filing fee, two recording fees and petition fee is enclosed.

- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy, #32,334

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Falls Church, VA 22040-0747  
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KM/sll  
0941-0844P

Attachment(s)

(Rev. 08/21/03)

MS PETITION  
PATENT  
0941-0844P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: LEE, Steve et al. Conf.:  
Appl. No.: NEW Group:  
Filed: September 24, 2003 Examiner:  
For: METHOD FOR PREVENTING READ ERRORS IN  
OPTICAL DISC DRIVE

PETITION UNDER 37 C.F.R § 1.47(a)

MS PETITION

September 24, 2003

Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

1. This petition is for Steve Lee to make the application on behalf of themselves and Donnie Wu (the non-signing inventor).
2. Proof of the Pertinent Facts  
A Statement of Facts in Support of Filing on Behalf of Non-signing Inventor containing the pertinent facts regarding the non-signing inventor is not yet available. A Statement will be filed which sets forth that a diligent effort was made to reach Donnie Wu, but that Donnie Wu refused to sign the Declaration.
3. Fee Payment (37 C.F.R. § 1.17(i))

☒ A check in the amount of \$130.00 is enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

4. Last Known Address of the Non-Signing Inventor

No. 5, Alley 7, Lane Jianchang, Shueinan Rd., Beitun Chiu, Taichung, Taiwan, R.O.C.

A *bona fide* attempt is being made to comply with the provisions of 37 C.F.R. 1.47.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy, #32,334

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KM/asc  
0941-0844P

Attachments

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Tech. Support Dept. Fax: 886-2-2895-9254  
R & D Fax: 886-2-2895-0113  
Financial Dept. Fax: 886-2-2894-3324



**VERIFICATION OF EMPLOYMENT**

**TO WHOM IT MAY CONCERN :**

**PER REQUEST OF OUR EMPLOYEE WE ARE  
PROVIDING THE FOLLOWING EMPLOYMENT  
INFORMATION FOR YOUR RECORDS :**

**EMPLOYEE NAME : Donnie Wu**

**ID-NO : L121161857**

**EMPLOYMENT PERIOD :  
JUL/01/1997~NOV/22/2002**

**TITLE :  
Manager  
R&D Team 5.**

**DATE OF ISSUE : SEP/15/2003**



**HUMAN RESOURCE DEPT.**